(18)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 2239 /2004

PETITIONER : Dr. Manuraj Pandey S/o Shri Anandilal Pande, aged 59 years, Occupation-Service presently working as Joint Director, Directorate of Health Services, Chhattisgarh, Raipur, R/o Kali Badi Chowk, Raipur (C.G.)

-VERSUS-

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Health & Family Welfare Department, D.K.S.Bhavan, Raipur (C.G.)
2. State of Madhya Pradesh through Secretary, Health & Family Welfare Department, Vallabh Bhavan, Bhopal (M.P.)
3. Director, Health Services Chhattisgarh, Raipur (C.G.)
4. Dr. Raj Kumar Rajmani, S/o Shri Pyarelal Rajmani, aged 52 years, Occupation-Service presently working as Joint Director, Directorate of Health Services, Old Nurses Hostel Campus, Raipur (C.G.)

P. R. No. 21-5-04
Presented by Shri Tandan Lal Sahu
dated 22-5-04

RECEIVED-COPY
22/7/04
Clerk to A.G. Bilaspur

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(113)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 2239 **सन् 2004**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH
HON'BLE SHRI A.K. PATNAIK, C.J.
& HON'BLE SHRI SATISH K. AGNIHOTRI, J.

08.08.2005

W.P.No.2239 of 2004

Heard Mr. Rajeev Shrivastava, learned counsel for the petitioner, Mr. Sumesh Bajaj, learned Dy. Government Advocate for the State of Chhattisgarh / respondents 1 & 3 and Mr. Manindra Shrivastava, Sr. Advocate with Mr. Amrito Das, learned counsel for respondent No.4.

In this writ petition the petitioner has prayed for quashing the orders dated 02.03.2002 and 06.04.2002 passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur Bench, Jabalpur in O.A.No. 717 of 2002. By the earlier order dated 02.03.2002, the said Tribunal had passed an interim order of stay and by the subsequent order dated 06.04.2002, the said Tribunal rejected the application for vacating the said interim order of stay and made the interim order dated 02.03.2002 absolute till the disposal of O.A.No.717 of 2002.

In the meanwhile, the State Administrative Tribunal has been abolished and O.A.No.717 of 2002 has been transferred in accordance with the Act, which abolished the Tribunal, for disposal in accordance with law by this High Court and on such transfer O.A.No.717 of 2002 renumbered as W.P.No.3634 of 2005.

Learned counsel appearing for the petitioner submitted that by orders dated 02.03.2002 and 06.04.2002 passed by the State Administrative Tribunal, Jabalpur, the promotion of the writ petitioner to the post of Joint Director (Health Services) has been stayed and the petitioner will retire from service on 31.08.2005. He prayed that

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 2239 **सन् 2004**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

O.A.No.717 of 2002 now renumbered as W.P.No.3634 of 2005 be disposed of by the High Court before 31.08.2005.

Learned counsel appearing for respondent No.4 submitted that respondent No.4 has to file rejoinder affidavit to the said W.P. No. 3634 of 2005.

Considering the aforesaid submissions made by the learned counsel for the parties, we dispose of this writ petition with the direction that O.A.No.717 of 2002 now renumbered as W.P.No.3634 of 2005 will be listed before the learned Single Judge hearing writ petition on service matters on 23.08.2005 as the first case for hearing and before the said date the rejoinder affidavit, if any, will be filed by respondent No.4 before the learned Single Judge in W.P.No. 3634 of 2005.

In the result this writ petition stands disposed of accordingly.

Sd/-
Chief Justice
Judge

Sd/-
Satish K. Agnihotri
Judge

Brajesh